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C O N F I D E N T I A L LUSAKA 000523

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TAGS: [PGOV](#) [ZA](#)

SUBJECT: OPPOSITION IMPEACHMENT CARD LIKELY A LOSING HAND

REF: A. LUSAKA 471

[1](#)B. LUSAKA 405

Classified By: Classified By: Ambassador Donald E. Booth for
Reasons 1.4 (b) and (d)

[1](#)1. (SBU) On July 22, Zambian opposition parties the Patriotic Front (PF) and United Party for National Development (UPND) officially notified the Speaker of the National Assembly of their intent to file a motion to impeach President Rupiah Banda. The notice accuses President Banda of various breaches of the national constitution (so far unspecified) from the time he served as acting president, following the incapacitation of former President Levy Mwanawasa in August 2008, to the present. The official submission follows weeks of front page posturing by the PF and UPND. President Banda responded to the anticipated move, saying "Do I look like someone who is scared of their plans?" He continued by saying that the democratic process should be allowed to play out. President Banda's bravado is not without merit; by the numbers, he has little reason to fear impeachment.

[1](#)2. (SBU) The odds are against opposition Members of Parliament (MPs) passing the impeachment measure. In order to move the motion forward, the petitioners must gather 53 signatures before the matter can be brought to the full assembly. While the PF and UPND combined hold 62 seats in Parliament, 18 PF members have publicly stated they will not support any impeachment call. These reluctant members, dubbed "rebels" by PF leader Michael Sata, would ensure the motion's failure. Any support from smaller opposition parties, such as the United Liberal Party (ULP), Forum for Democracy and Development (FDD), United National Independence Party (UNIP), or National Democratic Focus (NDF) is unlikely, as the smaller opposition groups (a total of 10 seats) are all aligned with President Banda's ruling Movement for Multi-party Democracy (MMD) for one reason or another. Claims that some MMD members are backing the petition are so far unsubstantiated.

[1](#)3. (SBU) Should the petitioners gather the requisite 53 signatures, the Speaker of the National Assembly must table the motion within seven days. All 157 MPs would be allowed to debate the measure and a two-thirds majority vote would then send the issue to the Chief Justice of the Supreme Court. A tribunal would be convened at which point specific charges against the President would be levied. After hearing from witnesses, should the tribunal find sufficient evidence of breaches of the constitution, the matter would be once again referred to the National Assembly. In the unlikely event the motion reached this point, however, President Banda could take comfort in his ruling MMD numbers: 65 MPs are either cabinet ministers or deputy ministers. Voting to impeach the president would be tantamount to removing themselves from office as well. If three-quarters of MPs agreed, the President would be impeached and required to leave office within three days.

[1](#)4. (C) Comment: The impeachment push, while perhaps designed to keep President Banda reeling from weeks of bad press, is a politically risky move. First, it allows President Banda to reclaim the high-ground and appear as a stalwart defender of

the democratic process, an image that has been battered recently (ref A). Handing such a potent political issue back over to the ruling party seems counterproductive. Secondly, the motion is an early test to the real unity of the PF-UPND pact ahead of the 2011 national elections (ref B). With 18 members already voicing opposition to the move, the short-term gain in publicity could have deleterious long-term political effects on the fledgling partnership. End Comment.

BOOTH